

REMARKS/ARGUMENTS

Applicants hereby affirm the earlier election to prosecute the claims of Group I, that is, claims 1-14 and 17-22. This election is made without traverse. It is understood that should the elected claims be found to be patentable, the withdrawn claims may be subject to rejoinder, and to that end claim 15 has been amended to incorporate the limitations of claim 1.

The claims were amended to recite a film consisting essentially of one or more foamed polyolefin sheets. This is supported in the specification at page 4, lines 20-21. The claims were also amended by incorporating the limitations of dependent claims 7 and 10 into the independent claims 1 and 19. As such, no new matter has been added. Accordingly, the entry of these amendments is courteously solicited.

Claim 8 was rejected under 35 USC 112 second paragraph for failing to provide antecedent basis for the term "the blend". The Applicants thank the Examiner for pointing this out and have amended Claim 1 to include such antecedent basis. Accordingly, this rejection is now moot, and Applicants request that the rejection be withdrawn.

Claims 1-14 and 17-22 are rejected under 35 USC 102(b) as being anticipated by Kelch (US 5,000,992) as evidenced by Chen et al (US 5,286,525) and Esneault et al. (WO 96/16122). At column 3, lines 45-47, Kelch expressly states that coextrusion of a foamed polyolefin layer with at least one solid (i.e. . non-foamed) layer is needed in order to obtain overall composite strength. Despite this clear teaching of Kelch, Applicants have found that if the right blend is chosen for the foamed film layer, adequate strength can be obtained despite not having a solid layer. Applicants have amended the claims to recite the preferred blend and to eliminate films containing solid layers. Accordingly, Kelch no longer anticipates the present claims.

It should be noted that Applicants are contemplating filing a divisional application to protect its rights to any multilayer film comprising a narrowly defined foamed layer in combination with one or more non-foamed layers, so this amendment should not be viewed as a dedication to the public of any films containing a solid layer which may otherwise be within the inventive concept at its broadest level.

Claims 12 and 21 stand rejected under 35 USC 102(b) as being anticipated by Kelch (US 5,000,992) as evidenced by Chen et al (US 5,286,525) and Esneault et al. (WO 96/16122) in further view of Hughes et. al (US 3,963,403). Hughes does not teach the blends now claimed, nor does it teach thin foamed film layers without a solid support layer. Accordingly it is respectfully requested that this rejection also be withdrawn.

Respectfully submitted,

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